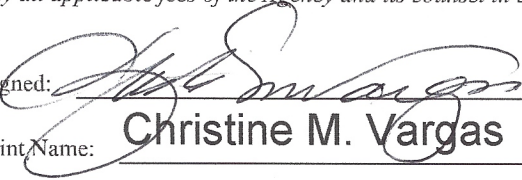




Project Modification Request

DATE:	01.05.2020
APPLICANT:	Vargas Associates Inc.
PROJECT NAME:	Office renovation
PROJECT ADDRESS:	40 Humboldt Street Rochester, NY 14609
MODIFICATION REQUESTED: (Check all that apply)	
<input type="checkbox"/> Increase in Project Costs of:	\$ _____ Original Project Cost: \$ _____
<input checked="" type="checkbox"/> Extend Sales Tax Exemption Date to:	06.30.20
Reason for extension: unforeseen damage req'd more time, value engineered, + FF&E	
*Amount of Exemptions Taken to Date: \$20,586.69	
<input type="checkbox"/> New Tenant: Provide Name, Business Description, Square Feet to be occupied:	
<input type="checkbox"/> Other:	
Assistance Requested: (check all that apply)	
<input type="checkbox"/> Property Tax Abatement	
<input type="checkbox"/> Mortgage Tax Exemption	
<input checked="" type="checkbox"/> Sales Tax Exemption	
Current Employment in Monroe County	
<input checked="" type="checkbox"/> As of:	01.05.2020
<input checked="" type="checkbox"/> Full Time:	14
<input checked="" type="checkbox"/> Part Time:	1
Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) if assignment, assignee must agree to assume Applicant's rights, interest, duties, obligations and liability set forth in any documents executed in connection with the Project being modified; and (iii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification/assignment of said Project.	
Signed: 	Date: 01.05.20
Print Name: Christine M. Vargas	
Approval for Modification is recommended	
Date of Original Approval _____	
Estimated value of incremental benefits: _____	
Executive Director _____	Date: _____

Motion By:

Seconded By:

L. Bolzen

G. Popoli

RESOLUTION

(Vargas Associates Inc. Project)

A regular meeting of the County of Monroe Industrial Development Agency d/b/a Imagine Monroe (the "Agency"), was held at the Ebenezer Watts Center, 47 S. Fitzhugh St., Rochester, New York 14614, on January 24, 2020.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY D/B/A IMAGINE MONROE (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO VARGAS ASSOCIATES INC. (THE "COMPANY") THROUGH JUNE 30, 2020.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on February 19, 2019 (the "Authorizing Resolution"), the Agency appointed **VARGAS ASSOCIATES INC.**, a New York corporation, for itself or a related entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of (i) the interior renovation/expansion of the Company's existing space located at 40 Humboldt Street in the City of Rochester, New York including, but not limited to, the addition of an employee café, larger kitchenette and additional restroom (the "Improvements"); and (ii) the acquisition and installation of various machinery, equipment, furniture, fixtures and personal property including, but not limited to, new lighting, audio/visual equipment and updated sprinkler and fire alarm systems (collectively, the "Equipment" and, together with the Improvements, the "Facility"); and

WHEREAS, the Agency appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax in an amount up to \$299,150, which would result in New York State and local sales and use tax exemption benefits (the "Original Sales and Use Tax Exemption Benefits") not to exceed \$23,932; and

WHEREAS, the Agency initially appointed the Company as its true and lawful agent to receive sales tax exemption through December 31, 2019; and

WHEREAS, the Agency desires to adopt a resolution authorizing the further extension of Sales and Use Tax Exemption Benefits to the Company and the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency d/b/a Imagine Monroe as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax through June 30, 2020. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits.

Section 3. The Executive Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Absent</u>	<u>Abstain</u>
Jay Popli	X			
Anthony Meleo			X	
Troy Milne	X			
Lisa Bolzner	X			
Ann L. Burr	X			

The Resolutions were thereupon duly adopted.

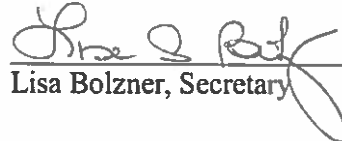
STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Secretary of the County of Monroe Industrial Development Agency d/b/a Imagine Monroe, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency d/b/a Imagine Monroe (the "Agency"), including the resolutions contained therein, held on January 24, 2020, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 24th day of January, 2020.



Lisa Bolzner, Secretary



County of Monroe Industrial Development Agency

PROJECT MODIFICATION REQUEST

If you have any questions or need assistance, please call 585.753.2000.

Applicant:	Vargas Associates Inc.		
Project Address:	40 Humboldt Street, Rochester, NY 14609		
Contact Name:	Christine Vargas		
Contact Company:	Vargas Associates Inc.		
Contact Address:	40 Humboldt Street, Suite 101 Rochester, NY 14609		
Contact Email:	christine.vargas@vargasassociates.com	Contact Phone:	(585) 746-6450

Employment in Monroe County:	11	1	06/17/2020
	Full Time	Part Time	As of Date

Modification Requested: Check all that apply. (Attach additional page if necessary)

- ☐ **Increase in Project Costs:** Must complete page 2. (If Increase is 25% greater than the Original Project Costs or there is a significant change in Project Scope, an application will be required.)

Assistance Requested: Check all that apply.

☐ Property Tax Abatement

☐ Mortgage Tax Exemption

☐ Sales Tax Exemption

Project Cost Information: \$ _____ \$ _____ \$ 0
Original Project Cost Increase in Project Costs New Project Costs

- ☒ **Extend or Renew Sales Tax Exemption:** (If exemption date has expired, as \$350 fee applies.)

06/30/2020

12/31/2020

\$ 22,426.12

Current Expiration Date

Requested Expiration Date


Amount of Exemptions Taken to Date

Reason for Extension:

Furniture that was slated to be ordered in March was put on hold due to COVID-19.

- ☐ **New Tenant:** Include name, business description, and square feet to be occupied.

Applicant hereby represents that (i) it is not in default under any documents executed in connection with the Project being modified; (ii) Applicant will pay all applicable fees of the Agency and its counsel in connection with the modification of the Project.

Signed:  Date: 06/17/2020
Print Name and Title: Christine M. Vargas

Staff Use Only:

Date Received 6/23/20 Date of Original Approval: 2/9/19 New Code 2602 19012 ^{2/20} 

Motion By:

Seconded By:

L. Bolzner

J. Papp

RESOLUTION

(Vargas Associates Inc. Project)

A regular meeting of the County of Monroe Industrial Development Agency (the "Agency"), was held at the Agency's offices at 50 West Main Street, Suite 1150, Rochester, New York 14614, on July 21, 2020, in accordance with Executive Order Number 202.1, as extended by subsequent executive orders.

After the meeting had been duly called to order, the Chair announced that among the purposes of the meeting was to consider and take action on certain matters pertaining to a certain Project more particularly described below.

RESOLUTION OF THE COUNTY OF MONROE INDUSTRIAL DEVELOPMENT AGENCY (THE "AGENCY") AUTHORIZING THE EXTENSION OF THE SALES TAX EXEMPTION BENEFIT GRANTED TO VARGAS ASSOCIATES INC. (THE "COMPANY") THROUGH DECEMBER 31, 2020; AND THE EXECUTION OF RELATED DOCUMENTS.

WHEREAS, by Title I of Article 18-A of the General Municipal Law of the State of New York, as amended and Chapter 55 of the Laws of 1972 of the State of New York (collectively, the "Act"), the Agency was created with the authority and power among other things, to assist with the acquisition of certain industrial development projects as authorized by the Act; and

WHEREAS, by Resolution duly adopted on February 19, 2019 (the "Authorizing Resolution"), the Agency appointed **Vargas Associates Inc.**, a New York corporation, for itself or an entity formed or to be formed (collectively, the "Company"), the true and lawful agent of the Agency to undertake a certain project (the "Project") consisting of (i) the interior renovation/expansion of the Company's existing space located at 40 Humboldt Street in the City of Rochester, New York including, but not limited to, the addition of an employee café, larger kitchenette and additional restroom (the "Improvements"); and (ii) the acquisition and installation of various machinery, equipment, furniture, fixtures and personal property including, but not limited to, new lighting, audio/visual equipment and updated sprinkler and fire alarm systems (collectively, the "Equipment" and, together with the Improvements, the "Facility"); and

WHEREAS, the Agency previously appointed the Company as its true and lawful agent to make purchases of goods and services relating to the Project that would otherwise be subject to New York State and local sales and use tax (the "Sales and Use Tax Exemption Benefits") through June 30, 2020; and

WHEREAS, the Company, pursuant to a certain Project Modification Request dated June 17, 2020, has requested the Agency grant an extension to its sales tax exemption through December 31, 2020; and

WHEREAS, the Agency desires to adopt a resolution authorizing the extension of Sales and Use Tax Exemption Benefits to the Company and the execution and delivery of any documents necessary and incidental thereto.

NOW, THEREFORE, BE IT RESOLVED by the County of Monroe Industrial Development Agency as follows:

Section 1. Based upon the representation and warranties made by the Company in its request, the Agency hereby authorizes and approves the Company, as its agent, to continue to make purchases of goods and services relating to the Project and that would otherwise be subject to New York State and local sales and use tax through **December 31, 2020**. The Agency agrees to consider any requests by the Company for another extension or an increase to the amount of Sales and Use Tax Exemption Benefits authorized by the Agency upon being provided with appropriate documentation detailing the additional purchases of property or services.

Section 2. The Executive Director, Chairman or Vice Chairman of the Agency are hereby authorized, on behalf of the Agency, to execute and deliver any agreements, documents or certificates necessary and incidental to providing the Company with the Sales and Use Tax Exemption Benefits and necessary to effectuate the above-described changes with respect to the Facility.

Section 3. The Executive Director, Chairman or Vice Chairman of the Agency are hereby authorized and directed for and in the name and on behalf of the Agency to do all acts and things required and to execute and deliver all such certificates, instruments and documents, to pay all such fees, charges and expenses and to do all such further acts and things as may be necessary or, in the opinion of such Executive Director, Chairman or Vice Chairman of the Agency acting, desirable and proper to effect the purposes of the foregoing resolutions and to cause compliance by the Agency with all of the terms, covenants and provisions of the documents executed for and on behalf of the Agency.

Section 4. This resolution shall take effect immediately.

The question of the adoption of the foregoing Resolution was duly put to vote on roll call, which resulted as follows:

	<u><i>Yea</i></u>	<u><i>Nay</i></u>	<u><i>Absent</i></u>	<u><i>Abstain</i></u>
Jay Popli	X			
Anthony Meleo	X			
Troy Milne	X			
Lisa Bolzner	X			
Joseph Alloco	X			
Rhett King	X			
Ann L. Burr	X			

The Resolutions were thereupon duly adopted.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:

I, the undersigned Executive Director of the County of Monroe Industrial Development Agency, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the County of Monroe Industrial Development Agency (the "Agency"), including the resolutions contained therein, held on July 21, 2020, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Agency and of such resolutions set forth therein and of the whole of said original insofar as the same related to the subject matters therein referred to.

I FURTHER CERTIFY that public notice of the time and place of said meeting was duly given to the public and the news media in accordance with Sections 103 and 104 of the New York Public Officers Law (Open Meetings Law) that all members of the Agency had due notice of the meeting and that the meeting was in all respects duly held.

IN WITNESS WHEREOF, I have hereunto set my hand on this 21st day of July, 2020.



Ana J. Liss, Executive Director